

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

RICHARD P. GAMBINO, as he is ADMINISTRATOR,
LOCAL 103, I.B.E.W. HEALTH BENEFIT PLAN;
ELECTRICAL WORKERS' PENSION FUND, LOCAL 103,
I.B.E.W.; ELECTRICAL WORKERS' DEFERRED INCOME
FUND, LOCAL 103, I.B.E.W.; JOINT APPRENTICESHIP
AND TRAINING FUND; and LAWRENCE J. BRADLEY,
as he is EXECUTIVE SECRETARY-TREASURER,
NATIONAL ELECTRICAL BENEFIT FUND,

C.A. No. 13-11366-JLT

Plaintiffs,

vs.

DEVLIN ELECTRICAL SERVICES LLC,
Defendant,

SOLULAR, LLC, WARWICK CONSTRUCTION, INC.,
METRIC CONSTRUCTION CORP., BENNETT
DEVELOPMENT, LLC, THE HAMILTON COMPANY, INC.,
HAMILTON CONSTRUCTION MANAGEMENT CORP.,
AECOM USA MASSACHUSETTS, INC., A&O DANNER
COMPANIES, INC., BODWELL PINES CORP., COBALT
INDUSTRIES, INC., BURKE GROUP, INC., MENEMSHA
BUILDERS, INC., METRO HEALTH FOUNDATION OF
MASSACHUSETTS, INC., and SHAWMUT
CONSTRUCTION CO., INC.,

Reach and Apply Defendants, and

SOUTH SHORE SAVINGS BANK,
Trustee.

**NOTICE OF VOLUNTARY DISMISSAL AS TO REACH-AND-APPLY
DEFENDANT METRO HEALTH FOUNDATION OF MASSACHUSETTS, INC.**

Now come the Plaintiffs, Richard Gambino, as he is Administrator, Electrical Workers' Health and Welfare Fund, Local 103, I.B.E.W., *et al.*, and notify the Court that the Funds' claim for relief as to Reach-and-Apply Defendant Metro Health Foundation of Massachusetts, Inc. ("Metro Health") is hereby satisfied pursuant to an agreement reached between the Plaintiff

Funds and Metro Health. The Plaintiff Funds hereby dismiss this action as to Reach-and-Apply Defendant Metro Health, with prejudice and without costs.

The Plaintiff Funds continue to press their claims against all other Defendants and Reach-and-Apply Defendants as to whom no Notice of Dismissal has been filed.

Respectfully submitted,

RICHARD P. GAMBINO, as he is
ADMINISTRATOR, ELECTRICAL
WORKERS' HEALTH AND WELFARE
FUND, LOCAL 103, I.B.E.W., *et al.*,

By their attorneys,

/s/ Kathryn S. Shea
Kathryn S. Shea, Esq., BBO #547188
Segal Roitman, LLP
111 Devonshire Street, Fifth Floor
Boston, MA 02109
(617) 742-0208
kshea@segalroitman.com

Dated: July 8, 2013

CERTIFICATE OF SERVICE

This is to certify that a copy of the above Notice of Voluntary Dismissal as to Reach-and-Apply Defendant Metro Health Foundation of Massachusetts, Inc. has been filed through the ECF system and will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent by first class mail, postage prepaid, to those indicated as non-registered NEF participants on this 8th day of July, 2013.

/s/ Kathryn S. Shea
Kathryn S. Shea